

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ABDUL NEDAB,

Plaintiff,

v.

TIM LENCER,

Defendant.

Civil Action No. 06-54 Erie

MEMORANDUM ORDER

_____Plaintiff's civil rights complaint was received by the Clerk of Court on March 2, 2006 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on February 28, 2007, recommended that the Defendant's motion [Doc. # 7] to dismiss be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail at his last address of record, and on the Defendant. No objections were filed. After de novo review of the complaint and documents in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 20th Day of March 2007;

IT IS HEREBY ORDERED that the Defendant's motion [Doc. # 7] to dismiss is GRANTED and the complaint is DISMISSED.

The report and recommendation of Magistrate Judge Baxter, dated February 28, 2007, is adopted as the opinion of this Court.

s/ SEAN J. McLAUGHLIN

Sean J. McLaughlin
United States District Judge

cc: all parties of record
U.S. Magistrate Judge Baxter